

BILL NO. Z-86-09-16

ZONING MAP AMENDMENT NO. Z-Lash

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an M-1 (Light Industrial) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

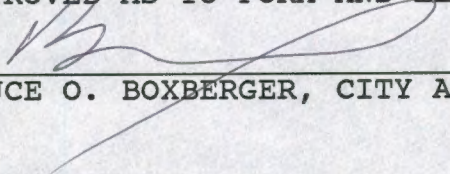
Lot No. 31 in Industrial Park Addition,

and the symbols of the City of Fort Wayne Zoning Map No.
N-7, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Eisbart
seconded by Stier, and duly adopted, read the second ti
by title and referred to the Committee Regulations (and the C
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wa
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____.M.,

DATE: 9-23-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbart
seconded by Stier, and duly adopted, placed on its
passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	<u>9</u>	_____	_____	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GIAQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>HENRY</u>	_____	<u>✓</u>	_____	_____	_____
<u>REDD</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 10-14-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____
on the _____ day of _____, 19____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indian
on the _____ day of _____, 19____
at the hour of _____ o'clock _____.M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____.M., E.S.T.

WIN MOSES, JR., MAYOR

RECEIPT

No 1128

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND.,

19

RECEIVED FROM

\$

THE SUM OF

DOLLARS

ON ACCOUNT OF

AUTHORIZED SIGNATURE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We JAMES PROSSER AND MARY L PROSSER
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RESIDENCE District to a/an PARKING District the property described as follows:

LOT FOR TRUCKS

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

James Prosser
Pastor W. Doyle Staton, Sr.
Mary K. Johnson
(Name)

2924 Gay
2808 Gay Street
2906 Gay Street
(Address)

James Prosser
W. Doyle Staton, Sr.
Mary K. Johnson
(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

JULIAN E KLINE
(Name)

2308 NEW HAVEN AVE
(Address & Zip Code) 46803

4265090
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Castella Dunbar	901 Colver St.	Castella Dunbar
Phyllis Smith	2915 Gay St	Phyllis Smith
James Brooks	1006 ONE KEE	James Brooks
Michael Jackson	2904 Gay St.	Michael Jackson
Eleanor Venters	2933 Gay St	Eleanor Venters
Alice Hall	907 Cafiedo	Alice Hall
Alyssa Moore	2928 Gay	Alyssa Moore
Owners of Property		
Kenneth R. Day	2938 - Gay St	Kenneth R. Day
Ray Alfred Jones	2943 Gay	Ray Alfred Jones
Elmer Hudson	2942 Gay	Elmer Hudson
Henry W Hudson	2942 Gay	Henry W Hudson
Lenore Cato	2946 Gay St	Lenore Cato
(Name)	(Address)	(Signature)
Willard J Fuller	2936 gay st.	Willard J Fuller
Beatrice Carless	2906 1/2 gay st	Beatrice Carless
Henry J. Johnson	2913 Gay	Henry J. Johnson
Ethel L Hamilton	2911 Gay St	Ethel L Hamilton

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 23, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-09-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1986.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

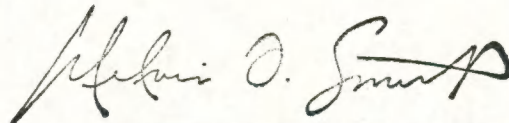
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1986.

Certified and signed this
25th day of September 1986.

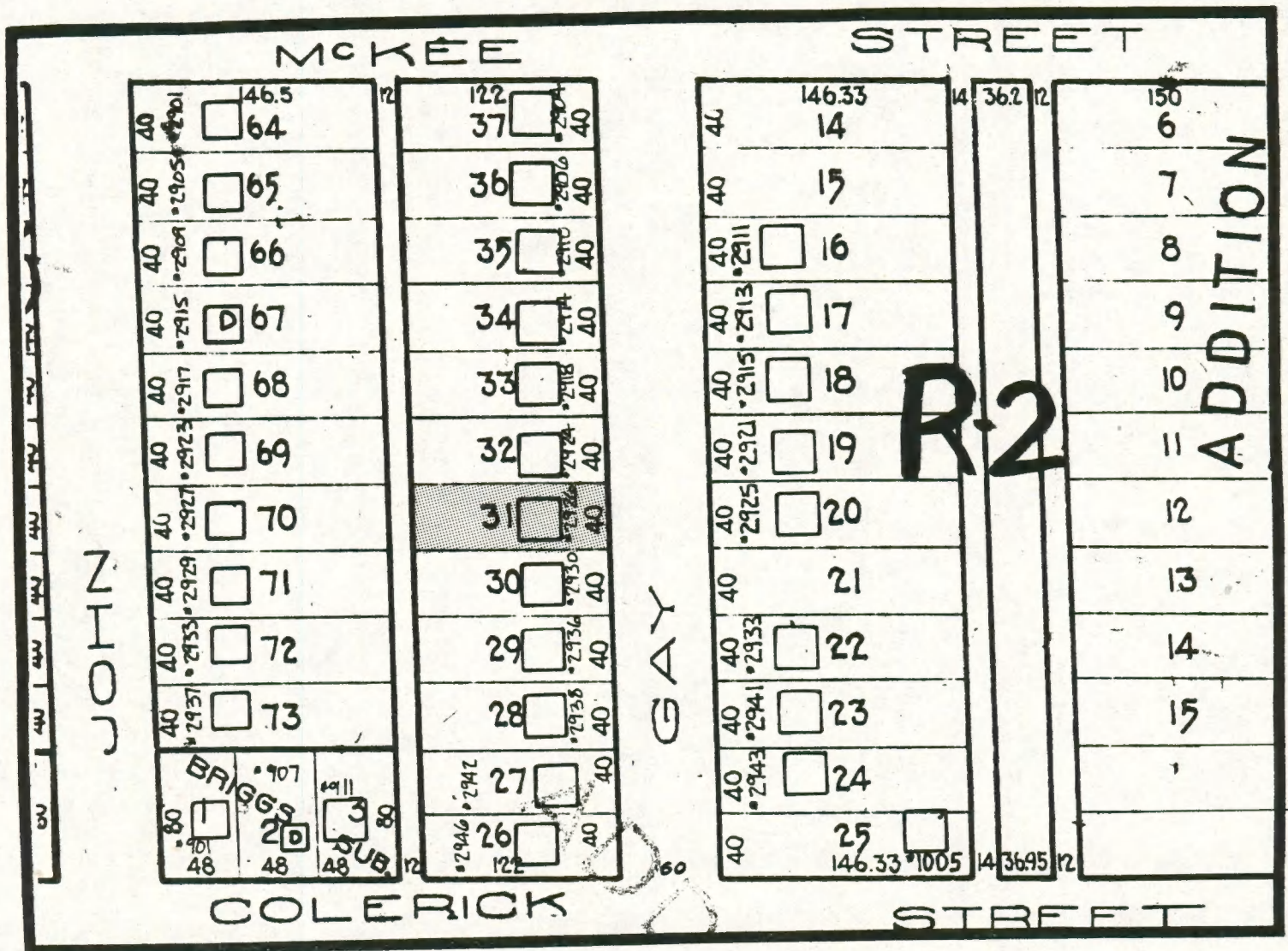


Melvin O. Smith
Secretary

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-2 TO A M-1 DISTRICT.

MAP NO. N-7

COUNCILMANIC DISTRICT NO. 1



ZONING:

R-2 RESIDENTIAL DISTRICT

LAND USE:

- ☐ SINGLE FAMILY
- ☒ DUPLEX

SCALE: 1"=100'

DATE: 8-28-86



Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

From R-2 to M-1

DETAILS

Specific Location and/or Address

2924 Gay Street

Reason for Project

To allow for storage and parking of trucks.

Discussion (Including relationship to other Council actions)

15 September 1986 - Public Hearing

James Prosser, petitioner stated he was requesting the rezoning in order to allow him to store three 2-ton dump trucks on the subject property. He stated that he lives adjacent to the lot in question and wants to be able to keep an eye on his equipment. Mr. Prosser stated that he has been storing the trucks there since 1974, but was recently cited for doing so when someone called and complained about the noise. Mr. Prosser stated that he had gone around to some of the neighbors in the area and they signed a petition stating that they were not opposed to the rezoning.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

James & Mary Prosser

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation☐ For☒ Against

Reason Against

-constitute spot zoning
-cause further deterioration in area

Board or
Commission
Recommendation

By

☐ For☒ Against☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL
ACTIONS
(For Council
use only)☐ Pass☐ Other☐ Pass (as amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

22 September 1986 - Business Meeting

Motion to return the ordinance to the Common Council with a DO NOT PASS was made and passed.

Of the 7 members present 6 voted in favor of denial - one did not vote.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 11 August 1986

Projected Completion or Occupancy

Date 25 September 1986

Fact Sheet Prepared by

Date 25 September 1986

Patricia Biancaniello

Reviewed by

Date

Gary Baxter

26 September 1986

Reference or Case Number

ORIGINAL

COUNCILMANIC DISTRICT No. 1

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

3-86-09-16

SYNOPSIS OF ORDINANCE 2924 Gay Street

EFFECT OF PASSAGE Property is zoned R-2 - Two Family Residential.

Property will become M-1 - Light Industrial District.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

BILL NO. Z-86-09-16

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. N-7

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN _____

SANDRA E. KENNEDY
CITY CLERK